

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

BONIFACIO CHAVEZ-TORRES,

Petitioner,

v.

UNITED STATES OF AMERICA,

Respondent.

Case No. C06-5553FDB

ORDER OF DISMISSAL

Plaintiff moves to vacate the judgment in this matter for “lack of personal, legislative (subject-matter) or territorial jurisdiction authority over defendant and for injunctive relief from criminal fraud pursuant to F.R.C.P. Rule 60(b)(4). On June 4, 2004, this Court denied Plaintiff relief sought pursuant to a 2255 motion. This present motion is a second or successive motion and must, therefore, be certified by the Ninth Circuit Court of Appeals before Plaintiff may proceed. 28 U.S.C. § 2255.

ACCORDINGLY, IT IS ORDERED: This cause of action is DISMISSED.

DATED this 3rd day of October, 2006.



FRANKLIN D. BURGESS
UNITED STATES DISTRICT JUDGE